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Denver Lough, Michael Beeghley, Willie C.
Bogan, Jeff Dyer, Steven Gorlin, Jon Mogford,
John Stetson and Edward Swanson*

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

HENRY MONTHER, derivatively on behalf of
POLARITYTE, INC.,

Plaintiff,

v.

DENVER LOUGH, MICHAEL BEEGHLEY,
WILLIE C. BOGAN, JEFF DYER, STEVEN
GORLIN, JON MOGFORD, JOHN
STETSON, and EDWARD SWANSON,

Defendants,

and

POLARITYTE, INC.,

Nominal Defendant.

**ORDER GRANTING STIPULATION
REGARDING STAY OF ACTION AND
RELATED MATTERS**

Case No. 2:18-cv-00791-TC

The Honorable. Tena Campbell

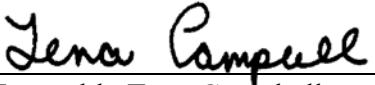
PURSUANT TO THE STIPULATION OF THE PARTIES, and good cause appearing:

1. Counsel for Defendants will accept service of the complaint in the above-captioned action on behalf of each of the Defendants subject to the terms of this order.
2. The above-captioned action is hereby stayed, including all deadlines and hearings, until the motion(s) to dismiss the Class Actions has/have been (i) denied in whole or in part; or (ii) granted with prejudice, and any appeals pertaining to the motion(s) to dismiss have concluded, or the time for seeking appellate review passed with no further action from the Class Action parties.
3. Defendants shall promptly notify Plaintiff of any related derivative actions that are filed against Defendants.
4. Plaintiff reserves the option to seek to terminate this stay if any related derivative action is not stayed for a similar or longer duration by giving thirty (30) days' notice in writing. During the thirty (30) days following written notice, the Parties will confer in good faith regarding a proposed schedule.
5. Notwithstanding the staying of the Action, Plaintiff may file an amended complaint during the pendency of the stay. Defendants shall not be obligated to respond to the current complaint or any subsequent complaint while the Action is stayed, and Defendants reserve all rights with respect to any subsequent complaint.
6. By entering into this Stipulation, the Parties do not waive any rights not specifically addressed herein. Defendants preserve all rights, objections, and defenses, and Plaintiff preserves all rights and claims.

7. The Parties agree to meet and confer in good faith following any lifting of this stay to submit a proposed scheduling order to the Court.

IT IS SO ORDERED.

Dated: November 26, 2018



The Honorable Tena Campbell
United States District Court Judge